

REMARKS

By the present amendment, independent claims 1 and 5 have been amended to obviate the examiner's objections thereto and/or to further clarify the concepts of the present invention. Among other things, independent claim 1 has been amended to incorporate the subject matter of dependent claim 4 therein. Accordingly, claim 4 has been cancelled. Entry of these amendments is respectfully requested.

In the Office Action, claims 1 and 5 were rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite. Specifically, it was asserted:

(1) On page 65, line 6 and page 66, lines 5, 16, and 24, the recitation "an alkylene glycol group" was not clear because the number of carbon atoms in the group was not recited or limited.

(2) On page 65, lines 24-25, the expression "an alkyl group substituted with fluorine atom or phenyl group" was unclear in terms of how many carbon atoms are in the alkyl group substituted with fluorine or phenyl groups.

(3) The expression "and another group of methacryloyl group" makes (E-1) of Claim 1 unclear since it is uncertain whether the expression "and another group of methacryloyl group" is separate or apart of the previously recited Markush group.

(4) On page 65, line 11, page 66, lines 6 and 21 and page 67, line 8, the Markush language was improper, it being suggested that the language can be corrected by using "or" instead of "and" in the Markush type language.

(5) In claim 5, it was asserted that the terms " $\alpha, \beta, \gamma, \delta$ " have insufficient antecedent basis since claim 1 does not contain these terms.

Reconsideration of this rejection in view of the above claim amendments and the following comments is respectfully requested.

In response to the above rejection, please consider the following with respect to each item as identified previously:

(1) The alkylene glycol group represented by  $X^{21}$ ,  $X^{25}$ ,  $X^{27}$ ,  $X^{28}$ ,  $X^{22}$ , or  $X^{26}$ , the carbon number of the alkyl group represented by  $R^{23}$  to  $R^{28}$  and the alkyl group substituted fluorine have been amended in claim 1 to recite a carbon number of "1 to 6" respectively.

(2) The phrase "an alkyl group substituted with fluorine or phenyl group" in claim 1 has been amended to "an alkyl group of 1 to 6 carbons substituted with fluorine atom, or a phenyl group."

(3) The phrase "at least one group selected from acryloyl group, vinyl group and allyl group, and another group of methacryloyl group" has been amended to "methacryloyl

group, and at least one group selected from acryloyl group, vinyl group and allyl group.”

(4) The term “and” has been amended to “or” as suggested.

(5) The phrase “ $\alpha$  which is the total number of moles of acryloyl group, vinyl group and allyl group in the hydrophilic monomer (C) and the monomer (D)” has been amended to “the total number of moles of acryloyl group, vinyl group and allyl group in the hydrophilic monomer (C) and the monomer (D) which is represented by  $\alpha$  below.” Similar amendments have been made for the terms  $\beta$ ,  $\gamma$ , and  $\delta$ , respectively.

For the reasons set forth above, withdrawal of the rejection under the second paragraph of 35 U.S.C. § 112 is respectfully requested.

Claims 1-3 and 7-9 were rejected under 35 USC 102(b) as anticipated by, or, in the alternative, under 35 USC 103(a) as obvious over, the patent to Yokoyama et al. Reconsideration of this rejection in view of the above claim amendments and the following comments is respectfully requested.

As mentioned above, independent claim 1 has been amended to incorporate the subject matter of dependent claim 4 therein. Inasmuch as dependent claim 4 was not rejected over the cited art, it is submitted that the subject rejection is now moot. Accordingly, withdrawal of the rejection under 35 U.S.C. § 102(b) or § 103(a) and

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allowance of claims 1-3 and 5-9 as amended over the cited patent are respectfully requested.

In view of the foregoing, it is submitted that the subject application is now in condition for allowance and early notice to that effect is earnestly solicited.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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